

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/IB 03/06091

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 A61K31/502 A61P35/00

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, EMBASE, CHEM ABS Data

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category <sup>a</sup>	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 258 812 B1 (TRAXLER PETER ET AL) 10 July 2001 (2001-07-10) cited in the application column 1, paragraph 3 column 10, line 50-61 claims; example 4 ---	1-12
X	WO 00 59509 A (NOVARTIS ERFIND VERWALT GMBH ;DAWSON KING JANET (CH); MANLEY PAUL) 12 October 2000 (2000-10-12) cited in the application page 1, paragraph 2 page 26, paragraph 2 page 30, paragraph 4 claims ---	1-12 -/-

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

<sup>a</sup> Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

23 March 2004

Date of mailing of the International search report

07/04/2004

Name and mailing address of the ISA

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## INTERNATIONAL SEARCH REPORT

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	AIELLO LLOYD PAUL ET AL: "Rapid and durable recovery of visual function in a patient with von Hippel-Lindau syndrome after systemic therapy with vascular endothelial growth factor receptor inhibitor SU5416" OPHTHALMOLOGY, vol. 109, no. 9, September 2002 (2002-09), pages 1745-1751, XP002274282 ISSN: 0161-6420 abstract page 1749 -page 1750 ----	1-12
A	KUWANO M ET AL: "Angiogenesis factors" INTERNAL MEDICINE 2001 JAPAN, vol. 40, no. 7, 2001, pages 565-572, XP009028184 ISSN: 0918-2918 page 568, right-hand column, paragraph 2 page 569, right-hand column, line 4 -page 571, left-hand column, line END; table 6 ----	1-12

# INTERNATIONAL SEARCH REPORT

Intern:

Application No.  
PCT/IB 03/06091

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: 1-9 (industrial applicability)  
because they relate to subject matter not required to be searched by this Authority, namely:  
see FURTHER INFORMATION sheet PCT/ISA/210
2.  Claims Nos.: 1, 2, 5-11 (partially)  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3.  Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

**FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210**

Continuation of Box I.1

Although claims 1-9 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

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Continuation of Box I.1

Claims Nos.: 1-9 (industrial applicability)

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

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Continuation of Box I.2

Claims Nos.: 1, 2, 5-11 (partially)

Present claims 1, 2, 5-11 refer to compound defined by reference to a desirable characteristic or property, namely to a "4-pyridylmethyl-phtalazine derivative".

Said definition claims cover all compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compound by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the compounds falling within formula I as specified in claim 3.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

## INTERNATIONAL SEARCH REPORT

International application No  
PCT/IB 03/06091

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
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		WO 0059509	A1	12-10-2000
		EP 1165085	A1	02-01-2002
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		NO 20014655	A	19-10-2001
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